



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

CRH/JMH/EHS
F. #2017R00906

*271 Cadman Plaza East
Brooklyn, New York 11201*

July 12, 2021

By Email and Electronic File Sharing

Kevin K. Tung
c/o Kevin Kerveng Tung PC
136-20 38th Avenue, Suite 3D
Flushing, New York 11354

Re: United States v. Yong Zhu
Criminal Docket No. 21-265 (PKC)

Dear Counsel:

Enclosed please find additional discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure, supplementing our production dated May 25, 2021. The government also requests reciprocal discovery from the defendant. Pursuant to Rule 16.1 of the Federal Rules of Criminal Procedure, the government remains available to confer further about pretrial discovery at a mutually convenient time.

The materials provided with today's production are being provided subject to the protective order agreed to by the parties and entered by the Court on June 18, 2021. See ECF No. 70. In particular, we note that the government considers the materials produced today to constitute "Sensitive Discovery Material." See id. at ¶¶ 7-11. If you wish to discuss the designation of this material as "Sensitive," please do not hesitate to contact us.

The documents bearing Bates numbers YZ-000007 through YZ-000564 consist of search warrants and related documentation, including but not limited to electronic accounts and cellular telephone accounts associated with the defendant. These materials also bear markings reflecting their designation as "Sensitive Discovery Material," as discussed above.

Future Discussions

If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact me.

Please be advised that, pursuant to the policy of the Office concerning plea offers and negotiations, no plea offer is effective unless and until made in writing and signed by authorized representatives of the Office. In particular, any discussion regarding the pretrial disposition of a matter that is not reduced to writing and signed by authorized representatives of the Office cannot and does not constitute a “formal offer” or a “plea offer,” as those terms are used in Lafler v. Cooper, 132 S. Ct. 1376 (2012), and Missouri v. Frye, 132 S. Ct. 1399 (2012).

Very truly yours,

JACQUELYN M. KASULIS
Acting United States Attorney

By: /s/ J. Matthew Haggans
Craig R. Heeren
J. Matthew Haggans
Ellen H. Sise
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Enclosures (via USAFEx)

cc: Clerk of the Court (PKC) (by ECF) (without enclosures)